

Service on the same footing with the Navy Department as those of the United States Coast and Geodetic Survey. (May 31, 1850, ch. 113, 21 Stat. 151; Reorg. Plan No. 11, § 4 (e), eff. July 1, 1939, 4 Fed. Reg. 2731, 53 Stat. 1433; Reorg. Plan No. III, § 3, eff. June 30, 1940, 5 Fed. Reg. 2108, 54 Stat. 1232.)

TRANSFER OF FUNCTIONS

Transfer and consolidation of bureaus and functions, see notes to section 741 of this title.

§ 747. Vessels of bureau; commutation of rations of officers and crews.

Section, act Mar. 28, 1922, ch. 117, title I, 42 Stat. 484; act Jan. 5, 1923, ch. 24, title I, 42 Stat. 1125; act May 28, 1924, ch. 204, title III, 43 Stat. 238; act Feb. 27, 1925, ch. 364, title III, 43 Stat. 1047 was provision of an appropriation act which was confined to specific appropriations.

§ 748. Expenditure of appropriations for propagation of food fishes.

Appropriations for propagation of food fishes shall not be expended for hatching or planting fish or eggs in any State in which, in the judgment of the Secretary of the Interior, there are not adequate laws for the protection of the fishes, nor in any State in which the United States Director of the Fish and Wildlife Service and his duly authorized agents are not accorded full and free right to conduct fish-cultural operations, and all fishing and other operations necessary therefor, in such manner and at such times as is considered necessary and proper by the said director or his agents. (July 1, 1918, ch. 113, § 1, 40 Stat. 693; Reorg. Plan No. II, § 4 (e), eff. July 1, 1939, 4 Fed. Reg. 2731, 53 Stat. 1433; Reorg. Plan No. III, § 3, eff. June 30, 1940, 5 Fed. Reg. 2108, 54 Stat. 1232.)

TRANSFER OF FUNCTIONS

Transfer and consolidation of bureaus and functions, see notes to section 741 of this title.

§ 749. Advisory committee; designations; duties; expenses.

There shall be an advisory committee of not to exceed two members from the Atlantic coast, two members from the Pacific coast, and four members from the inland waters, Great Lakes, and Alaskan sections of the United States, to be designated from time to time by the Secretary of the Interior, to consist of men prominently identified with the various branches of the fishery industry, qualified in aquatic research, and experienced in fish culture, who shall visit the Fish and Wildlife Service at such times as the Secretary of the Interior may deem necessary and report to the Secretary of the Interior on the condition and needs of the service, the members to serve without compensation, but to be paid the actual expenses incurred in attending the meetings. (June 16, 1921, ch. 23, § 4, 42 Stat. 63; Reorg. Plan No. II, § 4 (e), eff. July 1, 1939, 4 Fed. Reg. 2731, 53 Stat. 1433; Reorg. Plan No. III, § 3, eff. June 30, 1940, 5 Fed. Reg. 2108, 54 Stat. 1232.)

TRANSFER OF FUNCTIONS

Transfer and consolidation of bureaus and functions, see notes to section 741 of this title.

§ 750. Station on Mississippi River for rescue of fishes and propagation of mussels.

There shall be established on the Mississippi River, at a point to be selected by the Secretary of the In-

terior, a station for the rescue of fishes and the propagation of mussels in connection with fish-rescue operations throughout the Mississippi Valley, to be under the direction of the Fish and Wildlife Service of the Department of the Interior. (Apr. 28, 1922, ch. 153, § 1, 42 Stat. 501; Reorg. Plan No. II, § 4 (e), eff. July 1, 1939, 4 Fed. Reg. 2731, 53 Stat. 1433; Reorg. Plan No. III, § 3, eff. June 30, 1940, 5 Fed. Reg. 2108, 54 Stat. 1232.)

TRANSFER OF FUNCTIONS

Transfer and consolidation of bureaus and functions, see notes to section 741 of this title.

§ 751. Same; personnel.

In connection with the establishment of such fish-rescue station there is authorized the following personnel, namely: One district supervisor, to have general charge of fish-rescue and fish-cultural operations in the Mississippi Valley; a superintendent, two field foremen, four fish-culturists at large, one engineer at large, one clerk, two coxswains at large, and two apprentice fish-culturists. (Apr. 28, 1922, ch. 153, § 2, 42 Stat. 501.)

Chapter 9A.—PRESERVATION OF FISHERY RESOURCES

Sec.

755. Salmon-cultural stations; establishment; expenditure of funds.

756. Investigations, surveys and experiments; construction and maintenance of conservation devices, etc.

757. Appropriation.

§ 755. Salmon-cultural stations; establishment; expenditure of funds.

The Secretary of the Interior is authorized and directed to establish one or more salmon-cultural stations in the Columbia River Basin in each of the States of Oregon, Washington, and Idaho. Any sums appropriated for the purpose of establishing such stations may be expended, and such stations shall be established, operated, and maintained, in accordance with the provisions of the Act entitled "An Act to provide for a five-year construction and maintenance program for the United States Bureau of Fisheries", approved May 21, 1930, ch. 306, 46 Stat. 371, insofar as the provisions of such Act are not inconsistent with the provisions of this section and sections 756 and 757 of this title. (May 11, 1938, ch. 193, § 1, 52 Stat. 345; Reorg. Plan No. II, § 4 (e), eff. July 1, 1939, 4 Fed. Reg. 2731, 53 Stat. 1433.)

TRANSFER OF FUNCTIONS

Reorganization Plan No. II, § 4 (e), cited to text, transferred the Bureau of Fisheries in the Department of Commerce and its functions to the Department of the Interior, to be administered under the direction and supervision of the Secretary of the Interior.

Reorganization Plan No. III, § 3, eff. June 30, 1940, 5 Fed. Reg. 2108, 54 Stat. 1232, set out in notes to section 1331 of Title 5, Executive Departments and Government Officers and Employees, consolidated the Bureau of Fisheries and the Bureau of Biological Survey with their respective functions into one agency in the Department of the Interior to be known as the Fish and Wildlife Service, and provided that the functions of the consolidated agency shall be administered under the direction and supervision of the Secretary of the Interior.

§ 756. Investigations, surveys and experiments; construction and maintenance of conservation devices, etc.

The Secretary of the Interior is further authorized and directed (1) to conduct such investigations, and such engineering and biological surveys and experiments, as may be necessary to direct and facilitate conservation of the fishery resources of the Columbia River and its tributaries; (2) to construct, install, and maintain devices in the Columbia River Basin for the improvement of feeding and spawning conditions for fish, for the protection of migratory fish from irrigation projects, and for facilitating free migration of fish over obstructions; and (3) to perform all other activities necessary for the conservation of fish in the Columbia River Basin in accordance with law. (May 11, 1938, ch. 193, § 2, 52 Stat. 345; Reorg. Plan No. II, § 4 (e), eff. July 1, 1939, 4 Fed. Reg. 2731, 53 Stat. 1433.)

TRANSFER OF FUNCTIONS

See note to section 755 of this title.

§ 757. Appropriation.

There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$500,000, or so much thereof as may be necessary, to carry out the purposes of sections 755 and 756 of this title. (May 11, 1938, ch. 193, § 3, 52 Stat. 345.)

Chapter 10.—NORTHERN PACIFIC HALIBUT FISHERY

NORTHERN PACIFIC HALIBUT ACT OF 1924

Sec.
761-769.

NORTHERN PACIFIC HALIBUT ACT OF 1932

771-771j.

NORTHERN PACIFIC HALIBUT ACT OF 1937

- 772. Short title.
- 772a. Definitions.
- 772b. Acts unlawful.
- 772c. Records and reports of master or owner.
- 772d. Enforcement; arrest and seizure; detention; testimony of officers.
- 772e. Penalties and forfeitures.
- 772f. Penalties relative to records and reports.
- 772g. Exemption of Commission.
- 772h. Rules and regulations.
- 772i. Effective date.

NORTHERN PACIFIC HALIBUT ACT OF 1924

§§ 761-769.

Sections, act June 7, 1924, ch. 345, §§ 1-10, 12, 43 Stat. 648-650, constituting the Northern Pacific Halibut Act of 1924, are now covered by act June 28, 1937, ch. 392, §§ 1-10, 50 Stat. 325-328, incorporated in sections 772-772i of this title.

NORTHERN PACIFIC HALIBUT ACT OF 1932

§§ 771-771j.

Sections, act May 2, 1932, ch. 154, §§ 1-11, 47 Stat. 142-144, constituting the Northern Pacific Halibut Act of 1932, are now covered by act June 28, 1937, ch. 392, §§ 1-10, 50 Stat. 325-328, incorporated in sections 772-772i of this title.

NORTHERN PACIFIC HALIBUT ACT OF 1937

§ 772. Short title.

This subchapter may be cited as the "Northern Pacific Halibut Act of 1937." (June 28, 1937, ch. 392, § 1, 50 Stat. 325.)

§ 772a. Definitions.

When used in this subchapter—

(a) Convention: The word "Convention" means the Convention between the United States and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, signed at Ottawa on the 29th day of January 1937, and shall include the regulations of the International Fisheries Commission promulgated thereunder.

(b) Commission: The word "Commission" means the International Fisheries Commission provided for by article III of the Convention.

(c) Person: The word "person" includes partnerships, associations, and corporations.

(d) Territorial waters of the United States: The term "Territorial waters of the United States" means the Territorial waters contiguous to the western coast of the United States and the territorial waters contiguous to the southern and western coasts of Alaska.

(e) Territorial waters of Canada: The term "territorial waters of Canada" means the territorial waters contiguous to the western coast of Canada.

(f) Convention waters: The term "Convention waters" means the territorial waters of the United States, the territorial waters of Canada, and the high seas of the Northern Pacific Ocean and the Bering Sea, extending westerly from the limits of the territorial waters of the United States and of Canada.

(g) Halibut: The word "halibut" means the species of Hippoglossus inhabiting Convention waters.

(h) Vessel: The word "vessel" includes every description of water craft or other contrivance used, or capable of being used, as a means of transportation in water. (June 28, 1937, ch. 392, § 2, 50 Stat. 325.)

§ 772b. Acts unlawful.

It shall be unlawful for—

(a) any person other than a national or inhabitant of the United States to catch or attempt to catch any halibut in the territorial waters of the United States;

(b) any person to transfer to or to receive upon any vessel of the United States, or to bring to any place within the jurisdiction of the United States any halibut caught in Convention waters by the use of any vessel of a nation not a party to the Convention, or caught in Convention waters by any national or inhabitant of the United States or Canada in violation of the Convention or of this subchapter;

(c) any national or inhabitant of the United States to catch, attempt to catch, or to possess any halibut in the territorial waters of the United States or in Convention waters in violation of any provision of the Convention or of this subchapter;

(d) any person within the territory or jurisdiction of the United States to furnish, prepare, outfit, or provision any vessel, other than a vessel of the United States or Canada, in connection with any voyage during which such vessel is intended to be, is being,